

HOFLAND & TOMSHECK

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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA

Plaintiff,

vs.

VERNELL MARSHALL,

Defendant.

Case No.: 2:18-cr-00276-JAD-EJY

Stipulation and Order to Continue
Sentencing
(First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between JASON M. FRIERSON, United States Attorney, and BRIAN WHANG, ESQ., Assistant United States Attorney, counsel for the United States of America, and JOSHUA TOMSHECK, ESQ., counsel for Defendant VERNELL MARSHALL, that the Sentencing and Disposition currently scheduled for January 30, 2023 at 11:00 a.m. be continued for thirty (30) days to a date convenient for the Court.

This stipulation is entered into for the following reasons:

1. This is the first Sentencing and Disposition continuance request.
2. Counsel for the Defendant needs additional time to review and prepare for Sentencing.
3. The parties agree to the continuance.
4. The defendant is in custody and does not object to this continuance.

1 5. Additionally, denial of this request for continuance could result in a miscarriage
2 of justice.

3 6. For the above stated reasons, the parties agree that a continuance of the Sentencing
4 and Disposition would best serve the ends of justice in this case.
5

6 DATED this 25th day of January, 2023.
7

8 Respectfully submitted,

9 HOFLAND & TOMSHECK

JASON M. FRIERSON
United States Attorney

11 /s/ Joshua Tomsheck
12 JOSHUA TOMSHECK, ESQ.
13 Counsel for Defendant
14 VERNELL MARSHALL
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/s/ Brian Whang
BRIAN WHANG, ESQ.
Assistant United States Attorney

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FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. This is the first Sentencing and Disposition continuance request.
2. Counsel for the Defendant needs additional time to review and prepare for Sentencing.
3. The parties agree to the continuance.
4. The defendant is in custody and does not object to this continuance.
5. Additionally, denial of this request for continuance could result in a miscarriage of justice.
6. For the above stated reasons, the parties agree that a continuance of the Sentencing and Disposition would best serve the ends of justice in this case.

ORDER

IT IS HEREBY ORDERED, that Sentencing and Disposition currently scheduled for January 30, 2023 at 11:00 a.m. be continued to March 13, 2023, at 11:00 a.m.

DATED: January 26, 2023.


UNITED STATES DISTRICT JUDGE

Respectfully Submitted By:

/s/ Joshua Tomsheck

Joshua Tomsheck, Esq.
Nevada Bar No. 009210
Attorney for Defendant